

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

BROWN et al

Serial No. 09/117,218

Filed: January 11, 1999

Title: TREATMENT OF NON-NEURONAL CANCER
USING HSV MUTANT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Appeals from the decision dated December 5, 2001 of the Examiner twice/finally rejecting claims 13-22 (\$ 320.00)

- | | | | |
|---|--|---------------------------|------------|
| <input type="checkbox"/> | An appeal BRIEF is attached in triplicate in the pending appeal of the above-identified application (\$ 320.00) | \$ | 320.00 |
| <input type="checkbox"/> | An ORAL HEARING is requested under Rule 194 (\$ 280.00)
(due within two months after Examiner's Answer) | \$ | 0.00 |
| <input type="checkbox"/> | Credit for fees paid in prior appeal without decision on merits | -\$ (| 0.00) |
| <input type="checkbox"/> | A reply brief is attached in triplicate under Rule 193(b) | (no fee) | |
| <input checked="" type="checkbox"/> | Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months; \$1440.00/4 months) | \$ | 920.00 |
| <input type="checkbox"/> | Applicant claims "Small entity" status, enter ½ of subtotal and subtract
<input type="checkbox"/> "Small entity" statement attached. | SUBTOTAL | \$ 1240.00 |
| | | SUBTOTAL | \$ 1240.00 |
| Less month extension previously paid on | | -\$ | |
| | | TOTAL FEE ENCLOSED | \$ 1240.00 |

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty.: B. J. Sadoff, Reg. No. 36,663

Signature: _____

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01 FC:119
02 FC:117

320.00 OP
920.00 OP



Atty. Dkt.: 620-70
C# M#

Group Art Unit: 1632

Examiner: Nguyen, Q.

Date: June 5, 2002

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